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**Courts, Campaigns, and Corruption: An Empirical Evaluation of the  
“Appearance of Corruption” Rationale for Campaign Finance  
Regulation**

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**by**

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**Report**

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## **Abstract**

# **Courts, Campaigns, and Corruption: An Empirical Evaluation of the “Appearance of Corruption” Rationale for Campaign Finance Regulation**

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In *Buckley v. Valeo*, arguably their most important campaign finance decision, the United States Supreme Court argued that the appearance of political corruption alone might be sufficient to undermine the health of a representative democracy. There has been little empirical evidence to support this assertion, so to test this hypothesis, I fielded a novel survey containing different measures of factors influencing perceptions of corruption, perceptions about campaign contributions, support for campaign finance reform initiatives, perceptions of the frequency and nature of corruption, and perceptions of democratic health to roughly 1000 participants on Amazon’s Mechanical Turk. I constructed a causal diagram representing the "appearance of corruption" rationale in *Buckley v. Valeo* and used structural equation modeling, observed-variable path modeling to evaluate that specific causal hypothesis with various survey items. I found that the data did not support the hypotheses derived from the appearance of corruption rationale.

To further test the Supreme Court's claim that perceptions of corruption affect political behavior, I regressed various measures of perceptions of the frequency of corruption on self-reported political participation and found no significant correlation, again suggesting that the appearance of corruption rationale has meager empirical support.

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## INTRODUCTION

In his book *The Costs of Democracy*, Alexander Heard argues that a government should regulate money more strictly than other campaign resources because it “is a universal, transferable unit infinitely more flexible in its uses than the time, or ideas, or talent, or influence, or controlled votes that also constitute contributions to politics” (Heard 1960: 3). He speaks to a broad debate within political science about the nature and scope of equality-based considerations in a democracy and about the need and basis for attempts to equalize political clout between political actors (Bailey 1998; Cain 1995). On one end of the spectrum, researchers and politicians argue that campaign messages have a quantifiable impact on voters. Specifically, campaigns have an incentive to advertise their platforms and inform voters, and thus campaign spending is simply a way to increase the amount of information available to citizens (Brubaker 1998; Palda 1994; Smith 1996; Smith 1999; Coleman and Manna 2000). Furthermore, increased campaign spending allows for more outreach, which should presumably make for more energized and more informed voters (Jacobson 1992, 114–32; Kenny and McBurnett 1997; Baron 1994; Ansolabehere and Gerber 1994; Freedman, Franz, and Golstein 2004). Similarly, direct or face-to-face contact has been shown to be the most effective form of campaign outreach, yet campaigns often choose less expensive options (Gerber and Green 2000; Niemi and Weisberg 2001). Therefore, more campaign spending might in fact result in greater turnout and also increase political participation (Malbin and Gais 1998). This offers a basis for the argument that increased spending can equalize the playing field by

granting campaigns more resources with which to reach out to voters (Bailey 1995). Lastly, critics of stern campaign finance regulations argue that such reforms often have broad and unforeseeable impacts on the political landscape and that more regulations might simply result in more violations (Carey, Niemi, and Powell 2000; Fiorina 1980; Garret and Smith 2005; Herrick 2003).

Those on the other side of this debate paint a less rosy picture of money in politics, arguing that the main focus of campaigns is victory and that informing citizens is not a necessary or even common byproduct of that endeavor (Dworkin 1996; Ferguson 1995; Wertheimer and Manes 1994). In this same vein, some political scientists have argued that stricter campaign finance regulations should raise aggregate levels of trust in the government and consequently bolster the democratic process (Hibbing and Theiss-Morse 1995; Weber 1999; Goidel, Gross, and Shields 1999). More specifically, there have been attempts to construct a theoretical link between low levels of civic engagement or political participation and poor opinions of political efficacy (Brehm and Rahn 1997). In short, one forceful argument in favor of harsher campaign finance regulation contends that democracies have a strong interest in reducing the appearance of corruption because those appearances alone can corrupt the democratic process (Thompson 1993). The Supreme Court has used this argument—hereafter referred to as the appearance of corruption rationale—as its justification for limits on individual campaign contributions, but there exists little public opinion data validating this specific argument.



## THE APPEARANCE OF CORRUPTION RATIONALE

In their landmark 1976 decision in *Buckley v. Valeo*, the Burger court upheld a provision in the 1974 amendments to the Federal Election Campaign Act (FECA) limiting the amount that an individual could contribute to a campaign. In a per curiam decision, the Supreme Court justices held that the government was justified in restricting “large campaign contributions” because of their compelling interest in “the prevention of corruption and the appearance of corruption spawned by the real or imagined coercive influence of large financial contributions on candidates' positions and on their actions if elected to office” (424 U.S. 1). The Supreme Court then argued that “to the extent that large contributions are given to secure a political quid pro quo from current and potential office holders, the integrity of our system of representative democracy is undermined” (424 U.S. 1). In representative government, voters should have every confidence that their preferences exert the strongest influence on elected officials’ actions, but the Court argued that large campaign contributions suggest to voters that legislators are more concerned with those donors’ interests. Most importantly, the Court indicated that this appearance of corruption alone can prompt a behavioral change in voters. In short, the rationale for limits on campaign contributions first set forth in *Buckley v. Valeo* holds that politicians might systematically grant campaign donors political favors in exchange for their contributions, and the mere threat or likelihood of that form of corruption is enough to corrupt the democratic process (Sullivan 1998; BeVier 1994; Persily and Lammie 2004).

A primary concern that arises from the appearance of corruption rationale questions its reliance on public opinion writ large (Souraf 1986). Citing public opinion data as evidence is common practice; examples can be found in *Daggett v. Commission on Governmental Ethics and Election Practices* (205 F.3d 445), *Montana Right to Life Association v. Eddleman* (999 F. Supp. 1380), *Homans v. City of Albuquerque* (217 F. Supp. 2d 1197), and *McConnell v. FEC* (540 U.S. 93) (Persily and Lammie 2004). These opinions all offer surveys indicating that a majority of respondents find campaign donors exert undue influence on the legislative process as evidence of the destructive properties of the appearance of corruption, rather than any commentary on proven incidences of actual corruption. However, actual corruption is a muddy concept and therefore difficult to measure, and sparse empirical evidence links campaign contributions to legislative decisions (BeVier 1994; Coleman and Manna 2000; Persily and Lammie 2004; Ansolabehere, Snowberg, and Snyder 2005). A small number of studies have shown that incumbents embroiled in corruption scandals often get less than their expected vote share, but corruption allegations have not been shown to diminish overall turnout (Peters and Welch 1980; Welch and Hibbing 1997). Ansolabehere and Persily (2008) found no relationship between electoral participation or the stringency of voter identification laws and perceptions of the incidence of vote fraud, suggesting that there is not a strong relationship between actual incidences of corruption and the public's perceptions of corruption. With these problems in mind, a number of scholars have expressed concern that the appearance of corruption argument might allow the court to skirt difficult

empirical questions by citing public opinion polls instead of delving into data on actual corruption (Ansolabehere and Persily 2008; Persily and Lammie 2004).

## **CAMPAIGNS, CONTRIBUTIONS, AND CORRUPTION**

The specific appearance of corruption rationale put forth in *Buckley v. Valeo* places perceptions of corruption as causally prior to opinions of democratic health and focuses on the presence of those perceptions in the citizenry at large. Furthermore, the relationship specified in the appearance of corruption rationale is a two-step process. First, citizens observing large campaign contributions perceive greater levels of corruption in government. Those perceptions of corruption then cause those citizens to withdraw from the democratic process. The first difficulty associated with an empirical test of the appearance of corruption rationale concerns the challenges of introducing perceptions of money in politics into public opinion polls. Most voters rank campaign finance reform as a low priority (Primo 2002). Secondly, both the media and citizens wildly overestimate the amount of money in politics (Ansolabehere, Snowberg, and Snyder 2005; Milyo, Primo, and Groseclose 2000). Citizens also do not link the size of a donation to the amount of influence it may offer (Persily and Lammie 2004). Furthermore, citizens who contribute to campaigns are fundamentally unlike those who do not donate regularly in that they are more likely to participate in other ways (Ansolabehere, de Figueredo, and Snyder 2003; Ansolabehere, Snowberg, and Snyder 2005). Taken together, these results suggest that those who do donate regularly might look at campaign spending differently and that, broadly speaking, the public is not well informed about the role of money in politics.

As additional evidence for the latter point, a handful of aggregate-level studies have failed to find a relationship between amounts of campaign spending in federal

elections and levels of trust in the federal government (Primo 2002; Primo and Milyo 2006; Coleman and Manna 2000). Furthermore, changes in perceptions of corruption at the aggregate level do not seem to result from changes in campaign finance regulation, and the portion of public that perceives the government as corrupt has decreased as the amount of soft money contributions has increased dramatically (Persily and Lammie 2004). This again suggests that the public is neither well-informed about money in politics nor attentive to changes in campaign finance regulations and does not perceive a clear link between large campaign contributions and incidences of corruption in government. Furthermore, research suggests that perceptions of corruption can be tied to demographic characteristics, marginalization, presidential approval ratings, economic evaluations, anti-government attitudes, and inherent beliefs about trustworthiness of other people (Persily and Lammie 2004; Coleman and Manna 2000; Rahn, Brehm, and Carlson 1999). In short, empirical evidence suggests that the mass public's conception of political corruption does not cleanly map on to the Court's definition.

To further complicate matters, the Supreme Court has so far offered meager guidance as to what precisely political corruption might entail. In *Buckley v. Valeo*, the Court offered a vague definition of corruption as an interaction resembling a *quid pro quo* exchange, asserting that “to the extent that large contributions are given to secure a political quid pro quo from current and potential office holders, the integrity of our system of representative democracy is undermined” (424 U.S. 1). However, in their claim that “laws making criminal the giving and taking of bribes deal with only the most blatant and specific attempts of those with money to influence governmental action,” the

Court makes clear that these exchanges are not limited to bribery (424 U.S. 1). With regard to corporate contributions, the concept of corruption was later expanded in *Austin v. Michigan Chamber of Commerce* to cover “the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public's support for the corporation's political ideas” (494 U.S. 652). This particular conception of political corruption deviates quite sharply from the notion of an improper exchange arising from an individual’s campaign contributions. Recently however, in *Citizens United v. FEC*, the Court returned to its original definition of corruption as quid pro quo relationships between political actors and their monetary supporters (558 U.S. 310; Kang 2011). Thus a significant portion of the measurement challenge posed by evaluating the appearance of corruption rationale has its roots in the Court’s own vague and widely varying definition of political corruption.

The second stage of the appearance of corruption rationale posits a negative correlation between these perceptions of corruption and democratic health. In this vein, a number of studies have attempted to discern the relationship between perceptions of corruption and other political activities. Disclosure of campaign contributions is one commonly used safeguard against corruption, yet studies have found that disclosure has little impact on measures of political participation (Carpenter and Milyo 2012; Sullivan 1998). More similar to the appearance of corruption rationale are a handful of studies that found no relationship between varying state campaign finance laws and perceptions of corruption (Persily and Lammie 2004; Primo and Milyo 2006; Rosenson 2009). Though slightly different measures than those put forth in the appearance of corruption

rationale, a number of large-scale studies have failed to find a relationship between trust in government and voter turnout (Citrin 1974; Rosenstone and Hansen 1993; Citrin and Luks 2001). Similarly, researchers have found no relationship between campaign spending levels and perceptions of political efficacy or levels of trust in government (Lipset and Schneider 1987; Nye, Zelikow, and King 1997). Primo and Milyo (2006) found no relationship between disclosure, contribution limits, and public financing and trust in government. In short, the existing literature also fails to support the second step of the appearance of corruption rationale. More critically, no study so far has aimed to test the precise two-step argument put forth in the appearance of corruption rationale.

## **SURVEY DESIGN**

This analysis used novel data from a survey conducted on Amazon's Mechanical Turk (MTurk) during August and September 2015. MTurk is an online labor market largely populated by workers from the United States and India (Paolacci and Chandler 2014). Workers are compensated for performing tasks that they elect to complete. Due to this self-selection, sample composition is unpredictable (Malhotra and Krosnick 2007). A number of factors, including rate of compensation, the frequency with which task is listed, task complexity, and the time task is listed, can influence sample composition (Chandler, Mueller, and Paolacci 2014). Significantly, there has been no relationship found between response quality and compensation for surveys involving subjective responses (Buhrmester et al. 2011; Marge, Banerjee, and Rudnick 2010; Mason and Watts 2009). Past studies have suggested that MTurk workers are younger, more liberal, more highly educated, and less religious than the American citizenry (Berinsky, Huber, and Lenz 2012; Paolacci et al. 2010; Shapiro, Chandler, and Mueller 2013). Furthermore, psychological testing suggests that MTurk workers experience higher levels of social anxiety, social introversion, and emotional instability than the larger population (Goodman, Cryder, and Cheema 2013; Shapiro, et al. 2013). Despite these differences, a number of studies have suggested that MTurk samples are similar to other samples in regard to representativeness (Chandler, Mueller, and Paolacci 2014; Berinsky, Huber, and Lenz 2012; Buhrmester, Kwang, and Gosling 2011).

The survey was constructed in Qualtrics and then listed on the Mechanical Turk labor market between August 20, 2015 and September 24, 2015. Only workers with a



prior overall approval rate greater than or equal to 90% and more than 500 previously approved task completions were permitted to complete the survey. All workers took the survey over the Internet, and the survey was only administered in English. Survey items were randomized and presented to the respondent one at a time. With size of 1,008 respondents, the median age of this study's sample was 36 years, and the median yearly income was between \$40,000 and \$49,999. Fifty-four percent of the respondents were female. With respect to party identification, 51% of respondents identified as Democrats, 28% as Republican, and 21% as Independents. Seventy-six percent of respondents identified as Caucasian, 9% as African-American, 7% as Hispanic, 6% as Asian-American, and 2% as other.

The survey instrument itself contained 36 substantive questions and 10 demographic questions and included distinct measures of four factors known to influence attitudes toward corruption: socioeconomic status, predispositions to trust, strength of anti-government attitudes, and national evaluations. It also contained distinct measures of perceptions about campaign contributions, support for campaign finance reform initiatives, perceptions of the frequency and nature of corruption, and perceptions of democratic health. The full survey instrument is reproduced in Appendix A.

## CHALLENGES IN CAUSAL ANALYSES

The appearance of corruption rationale contains a causal hypothesis insofar as it specifies temporal priorities and associations between variables (Davis 1985; Sobel 1995). Specifically, the rationale suggests perceptions about campaign contributions affect perceptions of political corruption, which in turn affect perceptions of democratic health and political behavior. Thus the richness of the Supreme Court's causal claims necessitates a structural framework. Evaluating individual relationships drawn from the hypothesis in isolation does not accurately capture the nature of the Court's complex claims. Structural equation modeling is widely used to evaluate causal hypotheses and, unlike regression, allows for causal inferences; the researcher assumes causal relationships between particular variables and outlines those relationships in path diagram and/or a series of equations. While the resulting path coefficients and model fit statistics cannot establish causation, they can be interpreted as representative of causal effects even when the data used is strictly observational (Pearl 2012, Duncan 1975, Wright 1921). Similar to regression coefficients, path coefficients indicate the direct effect of a particular variable on another variable; more clearly, a path coefficient of 0.5 implies that a one-unit increase in the independent variable results in a half-unit increase in the dependent variable. It is important to note that the lack of a causal relationship in the assumed model indicates a hypothesized path coefficient of zero.

In addition to the challenges associated with evaluating complex causal hypotheses, public opinion data is often difficult to analyze. Survey results frequently contain missing data and categorical and thus non-normal data. Common sources of non-

normality include outliers, skewness, and shorter or longer tails. One approach to dealing with non-normal data uses standardization, but this typically discards valuable information contained in the dataset. Transforming categorical data, on the other hand, requires strong assumptions about the equidistance of consecutive categories in the ordinal scale. Lastly, categorical data frequently deviate from normality. Structural equation modeling is more robust to these data problems than regression models. Furthermore, categorical regression outputs are often difficult to interpret and highly sensitive to the coding system used. Therefore, analyzing the appearance of corruption rationale calls for an approach that is both capable of accurately modeling complex causal relationships and robust to violations of the assumption of multivariate normality. This paper is the first to examine the Supreme Court's appearance of corruption rationale in a holistic way and to offer solutions to methodological challenges raised by that analysis.

## EVALUATING MEASUREMENT

Because the American citizenry does not have well-informed attitudes toward the campaign finance system, it is reasonable to assume that these attitudes might be sensitive to measurement. More specifically, our survey measures are mostly accurately thought of as observed indicators of some underlying construct. Thus the variable categories corresponding to a respondent's opinions map onto a continuous latent scale reflecting a particular attitude. In addition, the different measures of the relevant attitudes account for the potential for changing definitions of political corruption from the Supreme Court. To be clear, the distinct measures of each attitude contained in the survey instrument first allow for an especially expansive interpretation of the concept of corruption, producing a more robust and inclusive test of the Court's claims; this is particularly necessary in light of the Court's vague definition of political corruption and that definition's weak relationship with the mass public's conception of corruption. Second, these distinct indicators also allow for tests of the stability and sensitivity of those various survey measures.

All responses were coded to a positive valence, and exogenous variables with less than five categories were labeled as ordered variables. Ordinal variables with five or more categories can be treated as continuous variables (Babakus, Ferguson, & Jöreskog 1987; Dolan 1994; Johnson & Creech 1983; Hutchinson & Olmos 1998). Race was recoded as a dummy variable with a response of "Caucasian" corresponding to one. Similarly, the income and education variables were collapsed to a five-point scale, and the socioeconomic status variable was collapsed into a four-point scale. Age was recoded

by decade into a seven-point scale, and a new political participation variable was produced by summing responses to individual questions concerning specific activities. Appendix C shows the univariate distributions of the variables included in the following models. The skewed distributions reveal that most variables are not normally distributed. In light of past research on attitudes toward political corruption and money in politics, these heavily skewed distributions are to be expected. If skewness is greater than two or kurtosis is greater than seven, non-normality can impact results (Curran, West, and Finch 1995).

Most survey responses contain missing data points. To facilitate statistical analysis, we assume that the data is missing at random (MAR); under this assumption, the probability that a data point is missing is dependent on the observed data but not the missing data. Listwise and pairwise deletion not only reduce sample size but are also more appropriate when dealing with that data that is missing completely at random (often an unreasonably strong assumption when dealing with real data). With regard to structural models, MAR data are often best dealt with through either full information maximum likelihood estimation (FIMLE) or data imputation. To manage missing data, entries with less than one-fourth of questions answered were discarded to produce a dataset of 957 respondents. The missing responses were then imputed using the “Amelia” package in the R statistical software. To ensure that imputation did not bias results, another dataset in which entries with less than three-fourths of questions completed was also created; this dataset contained 931 observations and was also subject to data imputation. All models were run on both datasets and produced nearly identical

results. Thus one possible method for determining the final models' robustness to imputation is to perform multiple imputation on various subsets of the larger dataset.

Lastly, we used confirmatory factor analysis to gauge the fit of the measurement model and to determine if particular indicators are querying the desired attitudes. Thus, the measurement model was also tested independently of the structural model to gauge the validity of the latent variables. In accordance with the design of the survey items, parallel analysis using the “psych” package in R suggests eight factors in the data matrix (Horn 1965). Fit indices (Table 1) from a confirmatory factor analysis suggest that the observed variables, as currently grouped, do not map well on the factors, indicating that questions that were thought to be measuring the same underlying attitude do not seem to fit together in a latent construct. Exploratory factor analysis (EFA) might offer another picture of the relationship between indicators. Though EFA is unlikely to provide substantial theoretical confirmation, it could suggest which indicators covary to a significant extent. Table 1 lists that fit indices for a principal axes exploratory factor analysis using polychoric correlations (as appropriate with categorical data). The EFA fit indices also reveal a relatively poor fit for the produced model, indicating that the constructed factors do not fit the data well. Table 2 lists the variables associated with each factor.

*Table 1. Fit statistics for confirmatory and exploratory measurement models.*

<b>Fit Statistic</b>	<b>EFA</b>	<b>CFA</b>
Comparative Fit Index	-	0.638
Tucker-Lewis Index	0.798	0.606
RMSEA	0.069	0.082
RMSEA Lower CI	0.066	0.080
RMSEA Upper CI	0.071	0.084
RMSEA p-value	0.000	0.000
SRMR	-	0.112
AIC	-	81273.581
BIC	-961.12	81446.033

Table 2. Composition of factors.

Factor	Indicators
Socioeconomic Status	<p>Select the option that contains your yearly income.</p> <p>What is the highest degree you have received?</p> <p>Select the option that best identifies your race.</p> <p>If you had to make a choice, how would you describe your current socio-economic status?</p>
Predisposition to Trust	<p>How often can other people be trusted?</p> <p>Do you think your representatives' actions are always honest and ethical?</p> <p>Does the federal government waste tax money?</p> <p>How often can you trust the federal government to act in the benefit of all citizens?</p> <p>Please select the option that best identifies your partisan affiliation.</p>
Strength of Anti-Government Attitudes	<p>Do you think that the federal government is mostly concerned with a few powerful interests or with the welfare of all citizens?</p> <p>How many people in the federal government are corrupt?</p> <p>Do you think that elections cause the federal government to attention to what citizens think?</p> <p>How would you evaluate the amount of money you have to pay in taxes?</p> <p>How would you describe your political ideology?</p>
National Evaluations	<p>How would you evaluate President Obama's performance?</p> <p>How would you describe the current state of the country's economy?</p> <p>How do you think the country's economy has changed in the past year?</p> <p>How do you think the country's economy will change in the next twelve months?</p>
Perceptions of Campaign Contributions	<p>To what extent do you consider the amount of money a candidate has raised when deciding whether or not to vote for them?</p> <p>To what extent do you consider the sources of a candidate's campaign funds when deciding whether or not to vote for them?</p> <p>What percentage of the average US Senate candidate's funds do you think come from interest groups?</p> <p>What percentage of the average US Senate candidate's funds do you think come from individual contributions?</p>



Table 2. Composition of factors.

Factor	Indicators
Perceptions of the Frequency of Political Corruption	<p>How often do you think that corruption occurs within the US Congress?</p> <p>Which group or factor would you identify as the primary influence on a Congressman's actions?</p> <p>How often do you think that Congressmen give extra time or consideration to campaign contributors?</p> <p>How much of the time can you trust the federal government to do what is right?</p> <p>What priority do you think should be given to reforms aimed at reducing corruption in the US Congress?</p>
Perceptions of the Campaign Finance Regulation	<p>How much would you support a reform that limits candidates for federal office to campaign funds from a public financing system?</p> <p>How much would you support a reform that mandates full disclosure but allows unlimited campaign contributions by individuals?</p> <p>How much would you support a reform that prohibits third parties from spending money on campaign communications?</p> <p>What priority would you assign to campaign finance reform?</p> <p>How would you evaluate the current system of campaign finance regulation in the U.S.?</p> <p>How would you evaluate your support for the current campaign finance regulations that permit third-parties affiliated with a campaign to spend unlimited amounts of money on campaign advertisements?</p> <p>Do you think that campaign contributions are a form of free speech protected by the First Amendment?</p> <p>Do you think that one political party benefits more from the current system of campaign finance regulation than another?</p>
Democratic Health	<p>Do you think the country is headed in the right or wrong direction?</p> <p>To what extent do you think that the federal government responds to the wants and needs of people like you?</p> <p>Have you participated in any of the following activities over the past four years?</p> <p>Do substantial campaign contributions from individuals unduly influence elected officials' actions?</p> <p>Do substantial campaign contributions from interest groups unduly influence elected officials' actions?</p> <p>Do all citizens have an equal ability to impact an election, or do wealthy citizens have a greater ability?</p> <p>How would you evaluate the impact of money on the electoral process?</p> <p>How often do you think that Congress-members look out for the interests of special interest groups or wealthy citizens over the interests of all citizens?</p>

## **MODEL CONSTRUCTION AND EVALUATION**

Figure 1 shows a structural model depicting the putative causal relationships derived from the appearance of corruption rationale using the factors constructed in the measurement model. In the first equation, perceptions of campaign contributions were regressed on perceptions of the frequency of corruption. Additionally, because perceptions of corruption can be moderated by a number of attitudes, variables measuring socioeconomic status, predisposition to trust, anti-government attitudes, and evaluations of presidential performance and the economy were included. In the second equation, perceptions of the frequency of corruption were regressed on perceptions of democratic health. Perceptions of the current system of campaign finance regulations and proposed reforms were also included as a control in the second equation (Carpenter and Milyo 2012; Sullivan 1998).

*Figure 1. Diagram of causal pathway.*

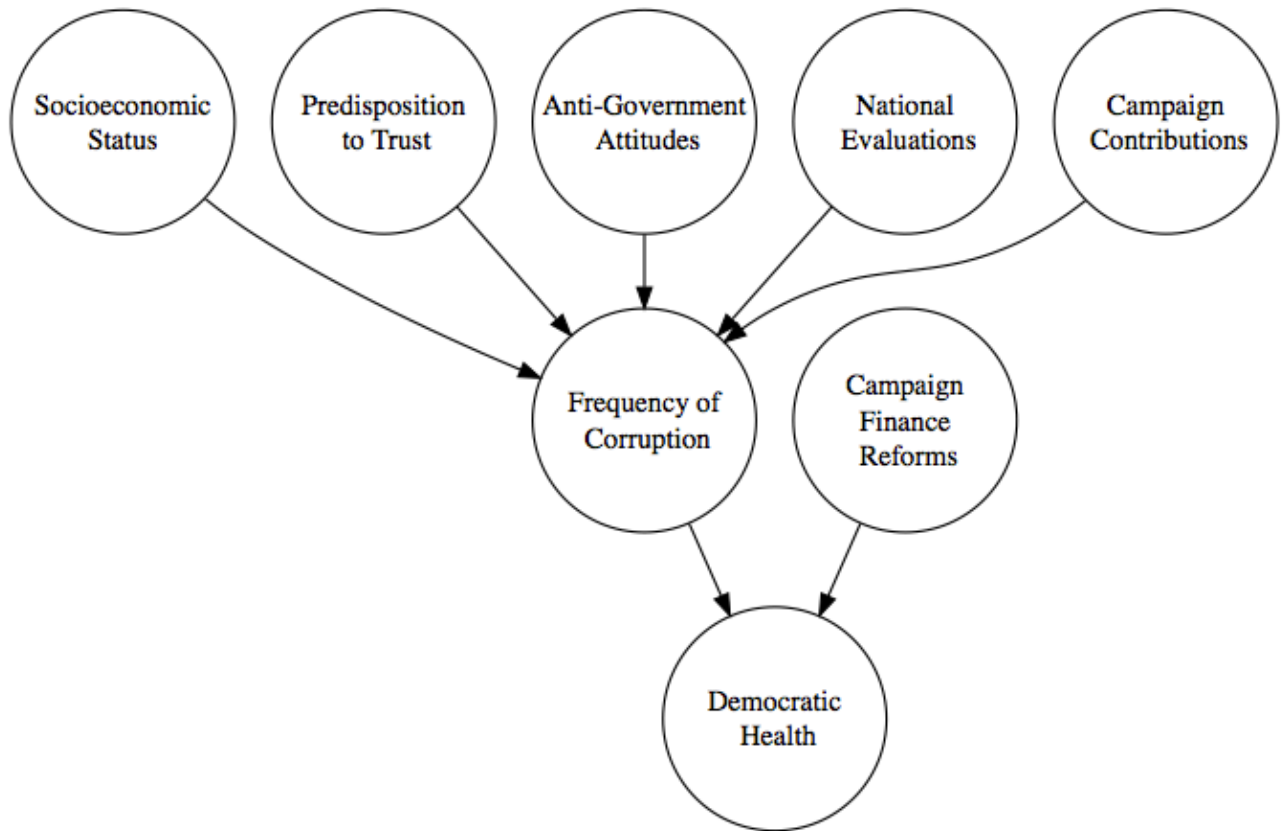


Figure 2 shows the full structural model, including the construction of factors. The choice of estimators is of particular importance when using categorical data and/or incomplete data. Categorical data typically requires the mean- and variance-adjusted weighted least squares (WLSMV) estimator, but the FIMLE estimator is more robust to missing data. That being said, the WLSMV estimator is especially advantageous when variables' distributions are heavily skewed or when the variable categories are not equally sized across a latent continuum. Thus, the WLSMV estimator is fairly robust when a dataset contains more than 200 observations (Flora & Curran 2004; Rhemtulla,



allow us to discard poor fit derived from factor construction issues and estimate relationships between survey items.

*Table 3. Survey items included in each of the four path models.*

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
<b>Socioeconomic Status</b>	If you had to make a choice, how would you describe your current socio-economic status?			
<b>Predisposition to Trust</b>	How often can other people be trusted?			
<b>National Evaluations</b>	How would you evaluate President Obama's performance?			
<b>Anti-Government Attitudes</b>	Do you think that the federal government is mostly concerned with a few powerful interests or with the welfare of all citizens?			
<b>Perceptions of Campaign Donations</b>	To what extent do you consider the amount of money a candidate has raised when deciding whether or not to vote for them?	To what extent do you consider the sources of a candidate's campaign funds when deciding whether or not to vote for them?	What percentage of the average US Senate candidate's funds do you think come from interest groups?	What percentage of the average US Senate candidate's funds do you think come from individual contributions?
<b>Perceptions of the Frequency of Corruption</b>	How often do you think that corruption occurs within the US Congress?	How often do you think that Congressmen give extra time or consideration to campaign contributors?	How much of the time can you trust the federal government to do what is right?	What priority do you think should be given to reforms aimed at reducing corruption in the US Congress?

Table 3. Survey items included in each of the four path models.

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
<b>Perceptions of Campaign Finance Regulations</b>	Do you think that campaign contributions are a form of free speech protected by the First Amendment?	What priority would you assign to campaign finance reform?	How would you evaluate the current system of campaign finance regulation in the U.S.?	Do you think that one political party benefits more from the current system of campaign finance regulation than another?
<b>Perceptions of Democratic Health</b>	To what extent do you think that the federal government responds to the wants and needs of people like you?	Do all citizens have an equal ability to impact an election, or do wealthy citizens have a greater ability?	Do you think the country is headed in the right or wrong direction?	Do substantial campaign contributions from individuals unduly influence elected officials' actions?

Lastly, while the Supreme Court's particular appearance of corruption rationale posits the two-stage process tested above, their fundamental claim is that the appearance of corruption affects citizens' political behavior. More clearly, citizens who perceive high levels of political corruption behave differently in the political sphere from those who perceive low levels of political corruption. Thus, if the Court incorrectly identified the moderating factors but correctly identified the outcome, then their justification for caps on individual campaign contributions still has heft. To test the more basic claim that perceptions of corruption affect political behavior and to confirm the results of the structural model, I first regressed measures of socioeconomic status, predisposition to

trust, anti-government attitudes, and national evaluations on the question closest to the conception of corruption outlined in *Buckley v. Valeo*: “How often do you think that Congressmen give extra time or consideration to campaign contributors?” I also included gender, race, educational level, income, and ideology as controls. I then regressed responses to that same question and to a measure of perceptions of the current system of campaign finance regulation on a self-reported measure of political participation. In that measure, respondents were asked to indicate which political activities they took part in, resulting in an additive scale representing the breadth of each respondent’s reported political behavior. I again controlled for gender, race, education level, income, political ideology, and in this instance, political interest – all factors known to affect political participation.

## **RESULTS**

Fit estimates for the structural equation model were not satisfactory (Table 3). To indicate a good fit, the comparative fit index (CFI) and Tucker-Lewis index (TLI) should be above 0.950 and 0.900 respectively (West, Taylor, and Wu 2012; Bentler 1990). The full structural model produced a CFI of 0.751 and a TLI of 0.690. The highest produced by the four observed-variable path models were a CFI of 0.792 and a TLI of 0.550. Furthermore, a root mean square error of approximation (RMSEA) below 0.05 suggests a good model fit; the full structural model had a RMSEA of 0.072, and the lowest produced by the four path models was 0.105 (Browne and Cudeck 1992; MacCallum, Browne, and Sugawara 1996). Furthermore, the four path models produced very different information criteria, suggesting that the measures used do have a discernable difference on information loss. Thus we can conclude that, while accounting for the effect of measurement, this survey data does not confirm the hypotheses derived from the appearance of corruption rationale. These results are in accord with past literature.



*Table 3. Measures of fit for structural model and four path models.*

<b>Fit Statistic</b>	<b>Full Model</b>	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
Comparative Fit Index	0.715	0.563	0.452	0.792	0.724
Tucker-Lewis Index	0.690	0.053	-0.188	0.550	0.402
RMSEA	0.072	0.213	0.140	0.155	0.105
RMSEA Lower CI	0.070	0.191	0.118	0.134	0.083
RMSEA Upper CI	0.074	0.236	0.163	0.178	0.128
RMSEA p-value	0.000	0.000	0.000	0.000	0.000
SRMR	0.104	0.080	0.055	0.053	0.043
AIC	82402.306	15575.749	16593.500	18332.122	18546.106
BIC	82949.150	15619.218	16636.958	18375.590	18589.555

The first linear regression model produced an adjusted R-squared of 0.3194, indicating that the model explained approximately thirty percent of the total variability in the dependent variable. Thus the model failed to explain most of the variation in perceptions of the frequency of political corruption. However, the coefficients lend support to existing theories about the influences on perceptions of corruption (Table 4). Socioeconomic status (statistically significant at  $\alpha = 0.10$ ) was negatively correlated with perceptions of the frequency of political corruption; as past research indicates, this suggests that respondents of lower socioeconomic status are more likely to perceive high levels of political corruption. In this same vein, presidential evaluations (statistically significant at  $\alpha = 0.05$ ) were also negatively correlated with perceptions of the frequency

of political corruption, suggesting that those who do not approve of the current administration are more likely to perceive it as corrupt. However, this conclusion is not supported by the positive correlation between ideology (statistically significant at  $\alpha = 0.05$ ) and perceptions of the frequency of political corruption. In another deviation from past results, race (statistically significant at  $\alpha = 0.01$ ) was positively correlated with perceptions of the frequency of political corruption; other scholars have suggested the racial minorities, as members of an out-group, would be more likely to perceive political corruption. Lastly, the strength of anti-government attitudes (statistically significant at  $\alpha = 0.01$ ) was the strongest predictor of perceptions of the frequency of political corruption, revealing that those who are least trusting of government are most likely to perceive corruption. In total, these results suggest that theories about the mediating factors of perceptions of corruption hold up relatively well in this Mturk sample.

*Table 4. Results of first OLS model.*

<b>Variable</b>	<b>Coefficient (Standard Error)</b>
Intercept	1.5430 (0.1162) ***
Socioeconomic Status	-0.0546 (0.0246) *
Predisposition to Trust	-0.0184 (0.0169)
Anti-Government Attitudes	0.2821 (0.01648) ***
National Evaluation	-0.0425 (0.0154) **
Perceptions of Campaign Donations	-0.0025 (0.0217)
Gender	-0.0144 (0.0319)
Race	0.1259 (0.0377) ***
Education Level	0.0432 (0.0152)
Income Level	0.0239 (0.0189)
Ideology	0.0561 (0.0188) **
***p < 0.01   **p < 0.05   *p < 0.10	

The second linear regression model produced an extremely low adjusted R-squared of 0.1713, suggesting that model explained less than twenty percent of the variation in political participation. Perceptions of the frequency of corruption did not have a statistically significant effect on political participation. In fact, the strongest predictors were evaluations of the current system of campaign finance regulations and political interest, with the latter as the strongest of the two (both statistically significant at  $\alpha = 0.01$ ). The negative correlation between evaluations of campaign finance law and political participation indicates that citizens who are dissatisfied with our current system are more likely to be politically active. This does not seem to lend support to the Supreme Court's contention that dissatisfaction with government would lead to

withdrawal from political life. However, the strongly positive relationship between political interest and political participation is well-supported by past literature. Taken together, these results suggest that there is not a significant relationship between perceptions of the frequency of political corruption and political participation. That being said, the significant relationship between evaluations of campaign finance laws and political participation suggests that changes in campaign finance law could have an influence on political behavior.

*Table 5. Results of second OLS model.*

<b>Variable</b>	<b>Coefficient (Standard Error)</b>
Intercept	0.3022 (0.4170)
Perceptions of Frequency of Corruption	0.1621 (0.0867)
Evaluation of Campaign Finance Laws	-0.3179 (0.0559) ***
Political Interest	0.7014 (0.0819) ***
Gender	-0.1941 (0.0963) *
Race	0.3207 (0.1128) **
Education Level	0.0654 (0.0440)
Income Level	0.1093 (0.0493) *
Ideology	0.0738 (0.0451)
***p < 0.01   **p < 0.05   *p < 0.10	

## **DISCUSSION**

Though they are in accord with past literature, one possible explanation for these contrary results is that the variables used are imperfect proxies for the concepts outlined in the appearance of corruption rationale. More clearly, a test of the first stage of the appearance of corruption rationale requires determining the relationship between perceived size of campaign contributions and perceptions of corruption in government. One approach (as was done here) is to examine this at the individual level by determining whether citizens who perceive individual campaign contributions to be larger in size are more likely to perceive higher incidences of corruption in government. However, it is also possible to test this hypothesis at the aggregate level; longitudinal data could be used to determine if perceptions of corruption changed as legislation capping individual campaign contributions was introduced or modified. However, this latter experimental design rests on the unfounded assumption that citizens are in fact aware of changes in campaign finance regulation. Variation in state-level election laws might also reveal if individual campaign contributions limits do in fact influence perceptions of corruption, yet this design also relies on that same tenuous assumption.

The second stage of the appearance of corruption argument posits that as perceptions of corruption increase, indicators of democratic health should decrease. One approach is to determine if individuals who perceive poor democratic health are more likely to perceive corruption in government. However, the use of perceptions of democratic health as the dependent variable raises an endogeneity problem; it is theoretically plausible that perceptions of democratic health could influence perceptions

of corruption, creating a causal loop between the independent and dependent variables. Thus objective measures of democratic health, such as turnout levels, political participation measures, or civic engagement measures, would seem to be a better option. It is important to note, however, that the specific argument put forth in *Buckley v. Valeo* rests on perceptions of corruption among the population; while objective indicators might offer a more detailed picture of the attitudes referred to in the opinion, subjective indicators are more true to the argument itself.

Therefore, while taking into account both the Supreme Court's vague conception of corruption and the measurement challenges associated with surveys concerning campaign finance, this study found little evidence that the Court's appearance of corruption rationale is reflective of political reality. This adds to prior empirical evidence suggesting perceptions of corruption have little discernable effect on mass political behaviors. The sparse evidence in favor of the appearance of corruption rationale also calls into doubt the Court's justification for upholding the constitutionality of limits on individual campaign contributions, leading us to consider where the Constitutional foundations of campaign finance regulations might then be found. Furthermore, this insight on the relationship between perceptions of corruption and political behavior also touches on the wide-ranging question of which elite behaviors do in fact have quantifiable effects on mass behavior.

## CONCLUSION

In *Buckley v. Valeo*, the Supreme Court ushered in a new era of campaign finance jurisprudence with their rationale for limiting individual campaign contributions. Specifically, the Court argued that the mere appearance of corruption prompted by large campaign contributions was enough to spark behavioral changes in citizens that undermined overall democratic health. I first provided an introduction to the unique measurement and estimation challenges that arise in the context of a complete evaluation of the Court's hypothesis. I then used novel survey data with structural equation modeling and OLS to construct a robust test of that hypothesis while also accounting for measurement imperfections and controlling for factors affecting perceptions of corruption. As suggested by past literature, a number of fit measures and regression results indicated that the particular hypotheses derived from the appearance of corruption rationale were not supported by the data, suggesting that the Supreme Court's rationale for capping individual campaign contributions is unfounded.

## Appendix A: Complete Survey Instrument

This survey is a research study conducted by:

Nitya Rao  
Department of Government, University of Texas at Austin  
Nitya.Rao@utexas.edu

The purpose of the study is to understand the relationship between political attitudes concerning campaign finance regulations. This survey should take approximately five minutes to complete. If you agree to participate, you will be asked a series of questions concerning your political attitudes and provide some basic demographic information.

**Risks and Benefits:** The risks posed by participation in this survey do not exceed those presented by everyday life. You will be compensated for finishing the survey but will not otherwise receive any benefits for your participation. You may withdraw from participation in the survey at any time.

**Privacy and Confidentiality:** This survey will not ask for any individual identifying information, and all data collected will be stored in a secure and confidential manner. Only the principal investigator and authorized members of the Individual Review Board at the University of Texas at Austin will have access to research records.

**Questions and Contact Information:** If you have any questions about this study or would like additional information, please contact the principal investigator at the email address listed above. If you have concerns about this study, please contact the Institutional Review Board at [orsc@uts.cc.utexas.edu](mailto:orsc@uts.cc.utexas.edu).

**Statement of Consent:** I have read the above information in its entirety and consent to participate in the survey.

- Yes
- No

You will see a series of questions gauging your political attitudes. Please select the response that best reflects your answer to each question asked. You will also be asked to provide basic demographic information at the end of the survey.

1. How often can other people be trusted?
  - Almost always
  - Frequently
  - Half of the time



- Occasionally
  - Very rarely
2. Do you think your representatives' actions are always honest and ethical?
    - Almost always
    - Frequently
    - Half of the time
    - Occasionally
    - Very rarely
  3. Does the federal government waste tax money?
    - Almost always
    - Frequently
    - Half of the time
    - Occasionally
    - Very rarely
  4. How often can you trust the federal government to act in the benefit of all citizens?
    - Almost always
    - Frequently
    - Half of the time
    - Occasionally
    - Very rarely
  5. Do you think that the federal government is mostly concerned with a few powerful interests or with the welfare of all citizens?
    - A few powerful interests
    - Welfare of all citizens
  6. How many people in the federal government are corrupt?
    - Almost all
    - Most
    - Roughly half
    - Some
    - Very few
  7. Do you think that elections cause the federal government to attention to what citizens think?
    - Almost always
    - Frequently
    - Half of the time
    - Occasionally
    - Very rarely
  8. How would you evaluate the amount of money you have to pay in taxes?
    - Too much
    - About right

- Not enough
9. How would you evaluate President Obama's performance?
- Strongly approve
  - Mostly approve
  - Neutral
  - Mostly disapprove
  - Strongly disapprove
10. How would you describe the current state of the country's economy?
- Very good
  - Good
  - Neither good nor bad
  - Bad
  - Very bad
11. How do you think the country's economy has changed in the past year?
- Improved
  - Stayed the same
  - Worsened
12. How do you think the country's economy will change in the next twelve months?
- Improve
  - Stay the same
  - Worsen
13. To what extent do you consider the amount of money a candidate has raised when deciding whether or not to vote for them?
- A lot
  - A little
  - Don't consider
14. To what extent do you consider the sources of a candidate's campaign funds when deciding whether or not to vote for them?
- A lot
  - A little
  - Don't consider
15. What percentage of the average US Senate candidate's funds do you think come from interest groups?
- 0% - 19%
  - 20% - 39%
  - 40% - 59%
  - 60% - 79%
  - 80% - 100%
16. What percentage of the average US Senate candidate's funds do you think come from individual contributions?
- 0% - 19%

- 20% - 39%
  - 40% - 59%
  - 60% - 79%
  - 80% - 100%
17. How much would you support a reform that limits candidates for federal office to campaign funds from a public financing system?
- Strongly support
  - Moderately support
  - Neither for nor against
  - Moderately against
  - Strongly against
18. How much would you support a reform that mandates full disclosure but allows unlimited campaign contributions by individuals?
- Strongly support
  - Moderately support
  - Neither for nor against
  - Moderately against
  - Strongly against
19. How much would you support a reform that prohibits third parties from spending money on campaign communications?
- Strongly support
  - Moderately support
  - Neither for nor against
  - Moderately against
  - Strongly against
20. What priority would you assign to campaign finance reform?
- Very high
  - High
  - Medium
  - Low
  - Very low
21. How often do you think that corruption occurs within the US Congress?
- Frequently
  - Occasionally
  - Rarely
22. Which group or factor would you identify as the primary influence on a Congressman's actions?
- Personal ideology
  - Party preferences
  - Constituency preferences
  - Campaign contributors

- Lobbyists
  - Interest groups
23. How often do you think that Congressmen give extra time or consideration to campaign contributors?
- Almost always
  - Frequently
  - Half of the time
  - Occasionally
  - Very rarely
24. How much of the time can you trust the federal government to do what is right?
- Almost always
  - Frequently
  - Half of the time
  - Occasionally
  - Very rarely
25. What priority do you think should be given to reforms aimed at reducing corruption in the US Congress?
- Very high
  - High
  - Medium
  - Low
  - Very low
26. Do you think the country is headed in the right or wrong direction?
- Right direction
  - Wrong direction
27. To what extent do you think that the federal government responds to the wants and needs of people like you?
- Almost always
  - Frequently
  - Half of the time
  - Occasionally
  - Very rarely
28. Do substantial campaign contributions from individuals unduly influence elected officials' actions?
- Almost always
  - Frequently
  - Half of the time
  - Occasionally
  - Very rarely
29. Do substantial campaign contributions from interest groups unduly influence elected officials' actions?

- Almost always
  - Frequently
  - Half of the time
  - Occasionally
  - Very rarely
30. Do all citizens have an equal ability to impact an election, or do wealthy citizens have a greater ability?
- All citizens have an equal ability.
  - Wealthy citizens have a greater ability.
31. How would you evaluate the impact of money on the electoral process?
- Too much influence
  - Appropriate amount of influence
  - Not enough influence
32. How would you evaluate the current system of campaign finance regulation in the U.S.?
- Very good
  - Good
  - Neither good nor bad
  - Bad
  - Very bad
33. How would you evaluate your support for the current campaign finance regulations that permit third-parties affiliated with a campaign to spend unlimited amounts of money on campaign advertisements?
- Very high
  - High
  - Medium
  - Low
  - Very low
34. Do you think that campaign contributions are a form of free speech protected by the First Amendment?
- Yes
  - No
35. Do you think that one political party benefits more from the current system of campaign finance regulation than another?
- The Republican Party benefits more.
  - The Democratic Party benefits more.
  - Both parties benefit equally.
  - Neither party benefits.
36. How often do you think that Congress-members look out for the interests of special interest groups or wealthy citizens over the interests of all citizens?
- Almost always

- Frequently
- Half of the time
- Occasionally
- Very rarely

You will now be asked to answer a number of questions about your demographic characteristics. Please select the option that best reflects your answer to the questions asked.

1. Select the option that best identifies your gender.
  - Male
  - Female
2. Select the option that best identifies your race.
  - Caucasian (non-Hispanic)
  - Hispanic
  - African-American
  - Asian-American
  - Native American
  - Other
3. Please select the option that best identifies your partisan affiliation.
  - Strong Democrat
  - Moderate Democrat
  - Independent, leaning Democrat
  - Independent
  - Independent, leaning Republican
  - Moderate Republican
  - Strong Republican
4. How would you describe your political ideology?
  - Very liberal
  - Liberal
  - Moderate
  - Conservative
  - Very conservative
5. How interested are you in politics?
  - Very
  - Somewhat
  - Not at all
6. Select the option that contains your yearly income.
  - Less than \$10,000
  - \$10,000 to \$19,999
  - \$20,000 to \$29,999

- \$30,000 to \$39,999
  - \$40,000 to \$49,999
  - \$50,000 to \$59,999
  - \$60,000 to \$69,999
  - \$70,000 to \$79,999
  - \$80,000 to \$89,999
  - \$90,000 to \$99,999
  - \$100,000 to \$149,999
  - \$150,000 to \$199,999
  - \$200,000 to \$250,000
  - More than \$250,000
7. How old are you? Please enter your age to the closest year.
8. What is the highest degree you have received?
- None
  - High school diploma or equivalent
  - Associate's degree
  - Bachelor's degree
  - Master's degree
  - Professional school degree
  - Doctoral degree
9. Have you participated in any of the following activities over the past four years?
- Attend a political meeting or rally
  - Participate in a demonstration or protest
  - Discuss politics with friends and family
  - Contact elected representatives
  - Contact newspapers or magazines for political causes
  - Petition
  - Vote in a primary election
  - Volunteer for a political campaign
10. If you had to make a choice, how would you describe your current socio-economic status?
- Lower class
  - Working class
  - Middle class
  - Upper-middle class
  - Upper class

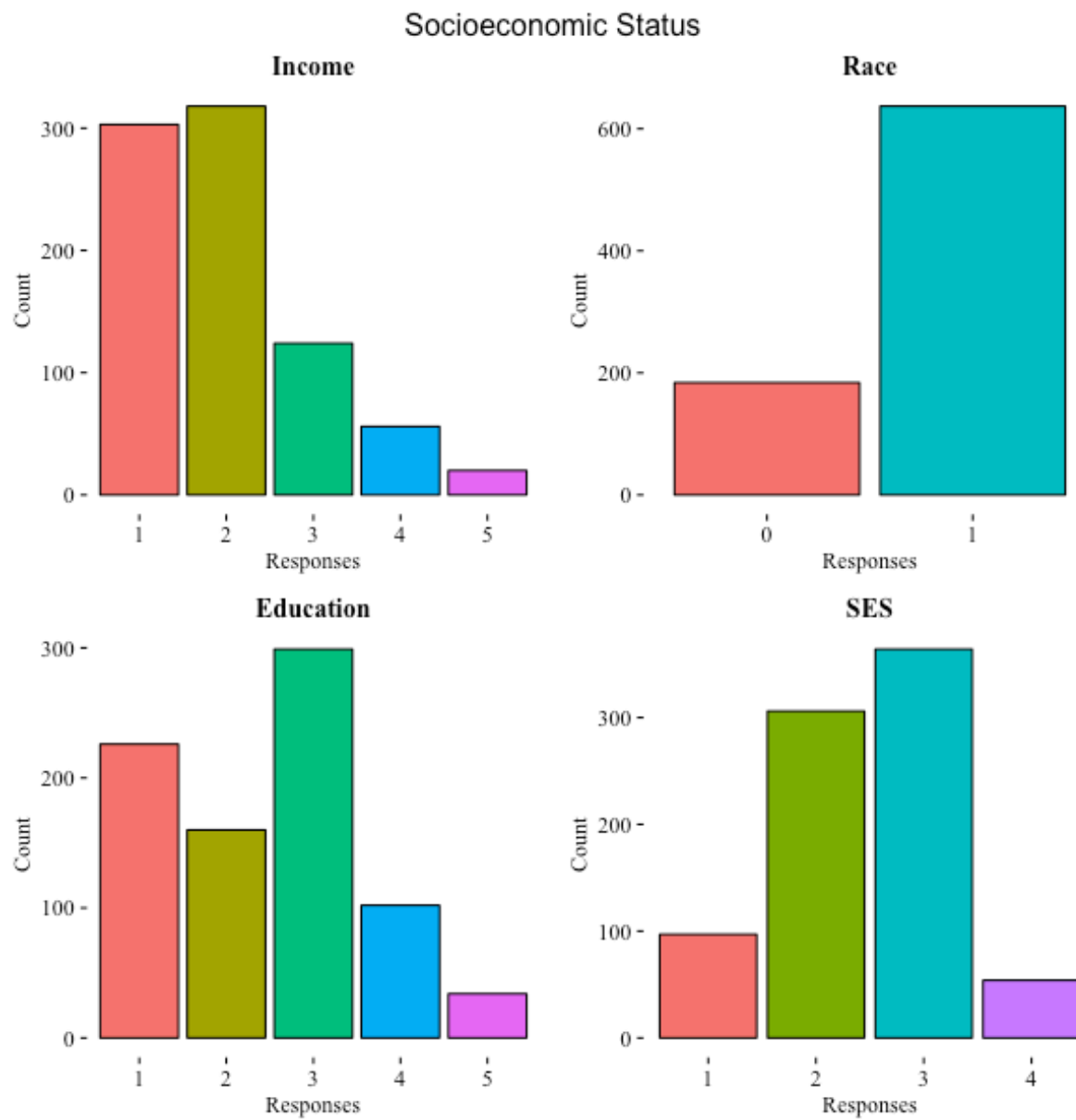
## **Appendix B: Additional Survey Information**

The survey was written and fielded by the author of this paper and funded by a Patricia Witherspoon Research Award granted to the author by the Annette Strauss Institute for Civic Life at the University of Texas at Austin. This survey received approval from the Institutional Review Board at the University of Texas at Austin. Proof of approval can be provided upon request. No sampling frame was used in the implementation of this study. As respondents actively chose to complete the survey, response rates are not available for this study.

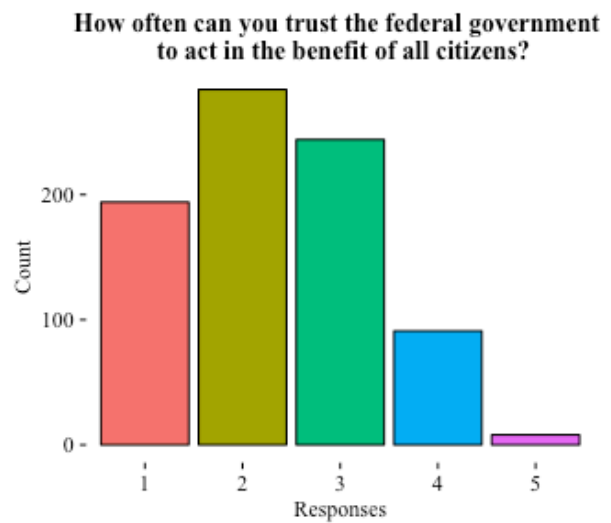
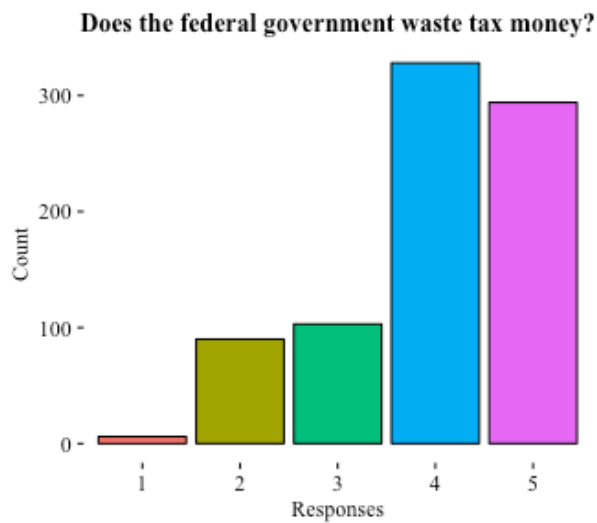
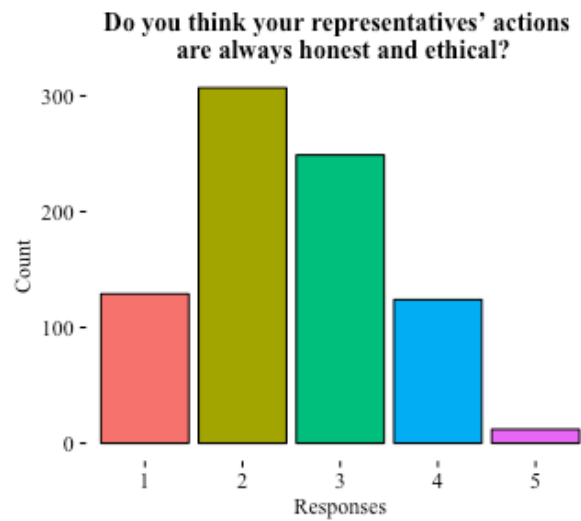
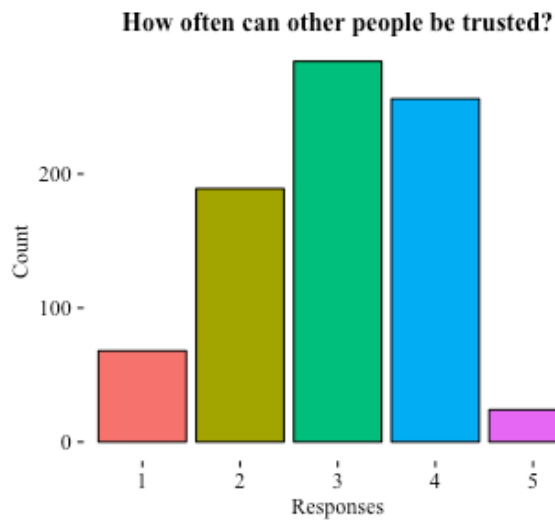
Workers must be at least 18 years of age to participate in MTurk's labor market. Furthermore, the survey was only available to workers located in the United States. Each respondent was only permitted to take the survey one time; MTurk kept record of each worker's Internet Protocol (IP) address, and workers with the same IP address were not permitted to re-enter the survey once it was completed. Respondents received \$0.25 in compensation for taking the survey.



# Appendix C: Distribution of Survey Variables

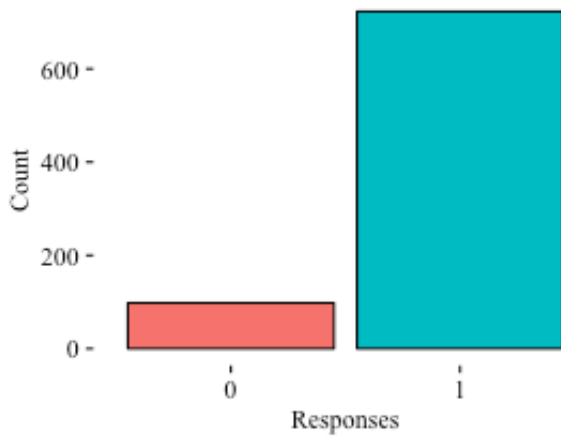


## Predispositions to Trust

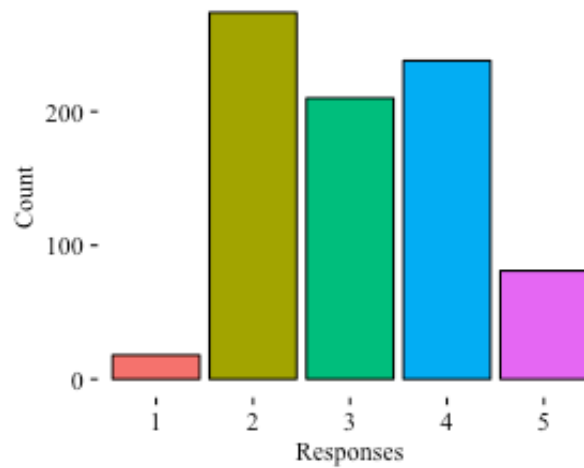


## Anti-Government Attitudes

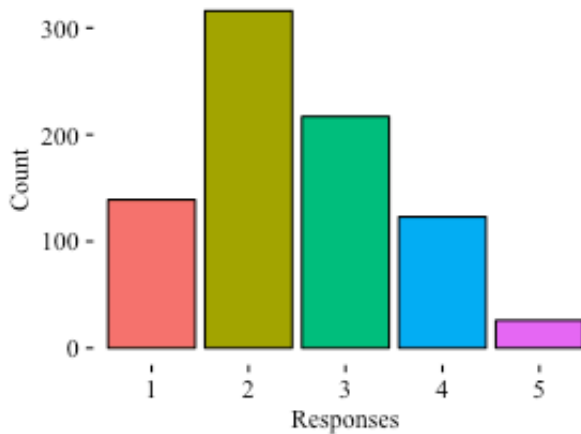
**Is the federal government mostly concerned with a few powerful interests or with the welfare of all citizens?**



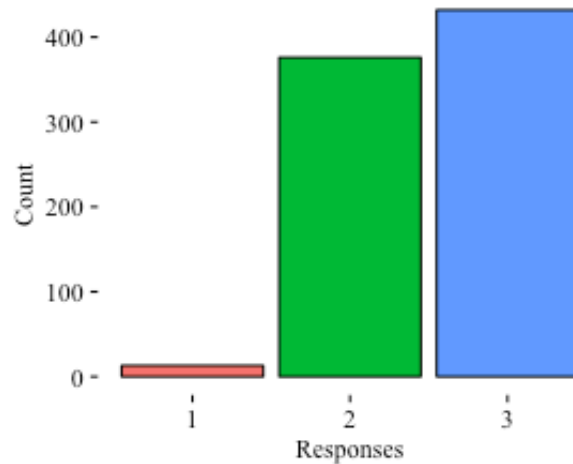
**How many people in the federal government are corrupt?**



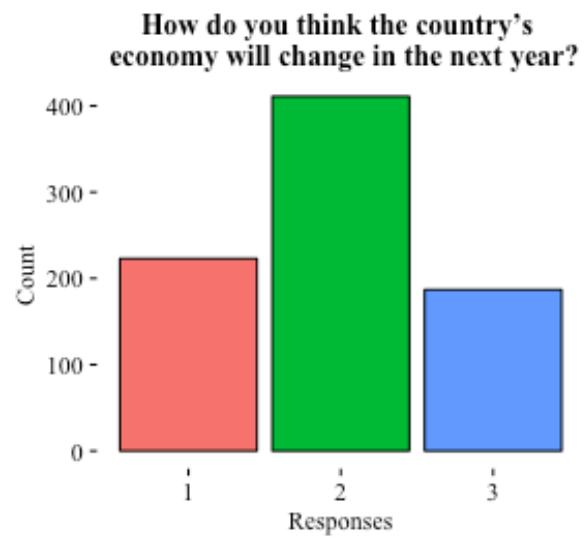
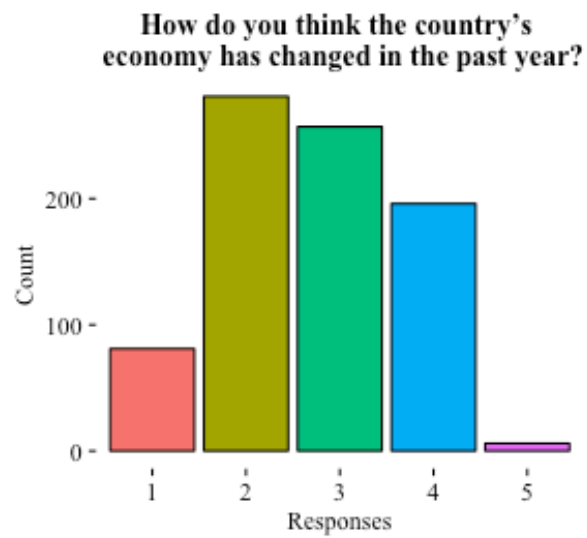
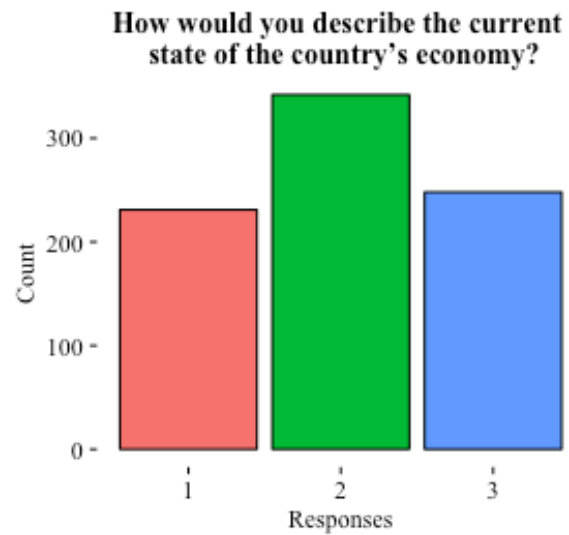
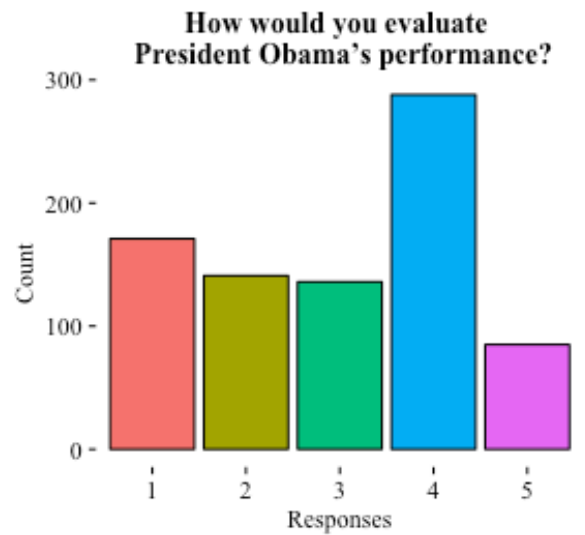
**Do elections cause the federal government to attention to what citizens think?**



**How would you evaluate the amount of money you have to pay in taxes?**

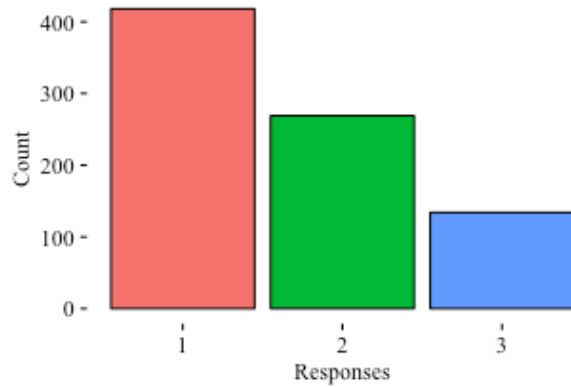


## National Evaluations

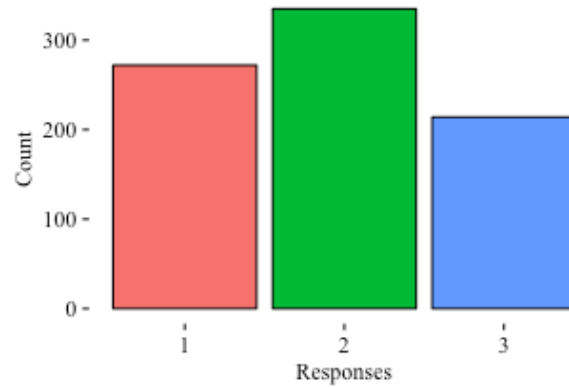


## Perceptions of Campaign Contributions

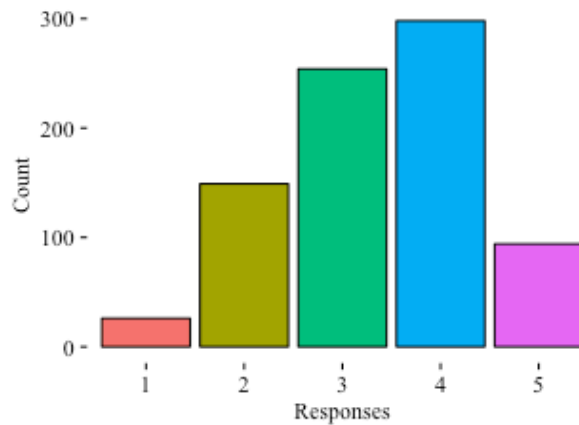
**To what extent do you consider the amount of money a candidate has raised when deciding whether or not to vote for them?**



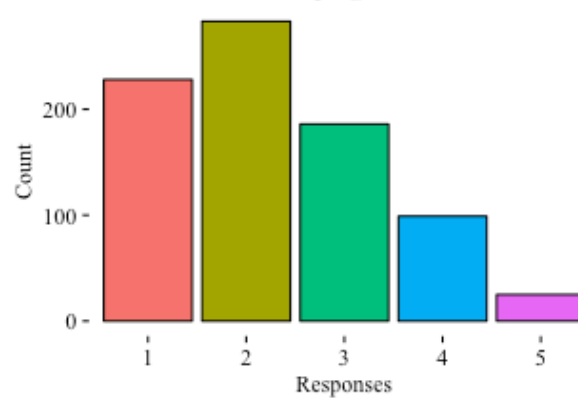
**To what extent do you consider the sources of a candidate's campaign funds when deciding whether or not to vote for them?**



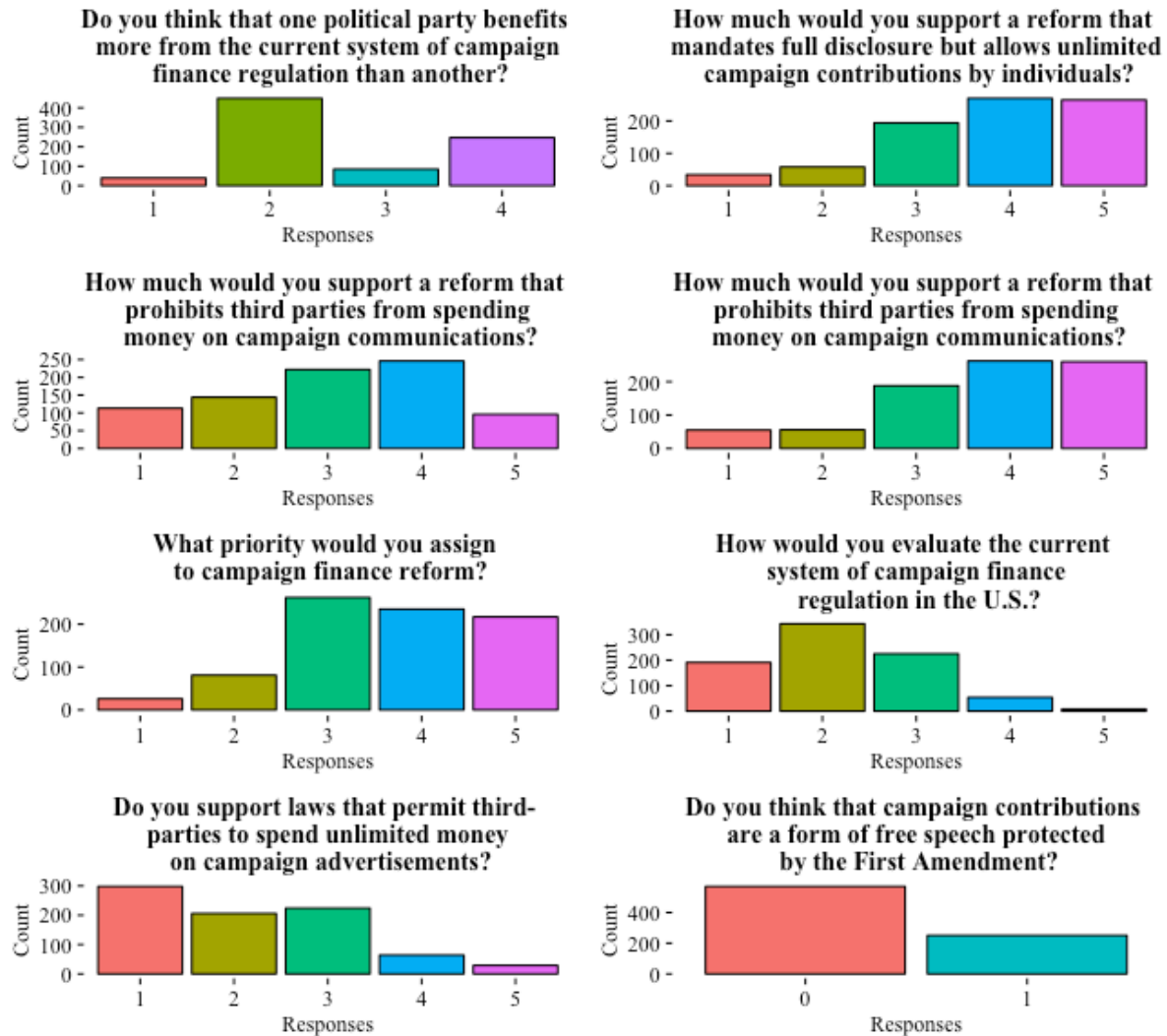
**What percentage of the average US Senate candidate's funds do you think come from interest groups?**



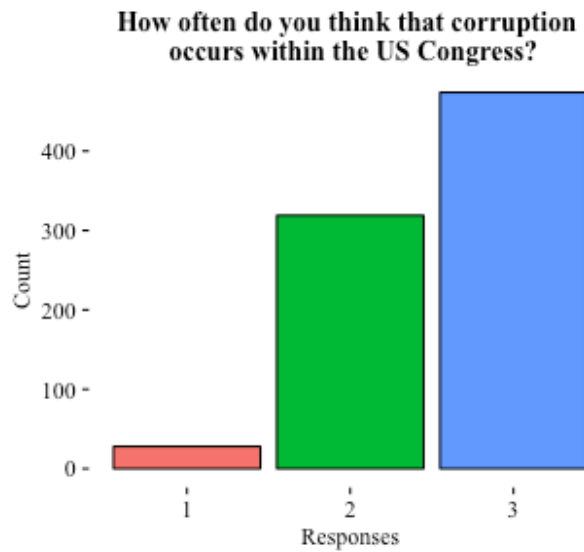
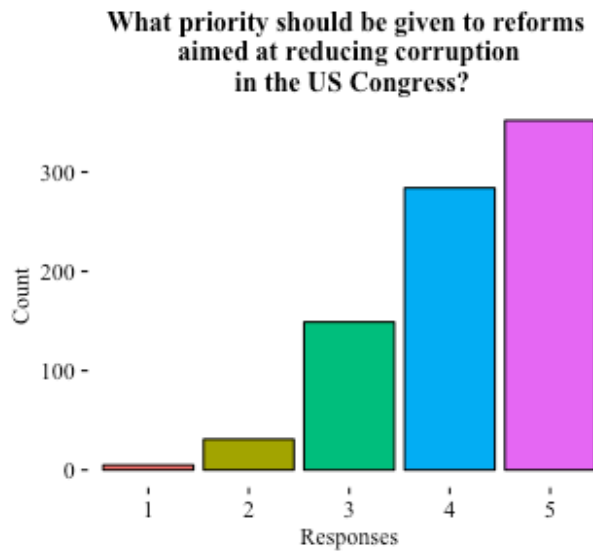
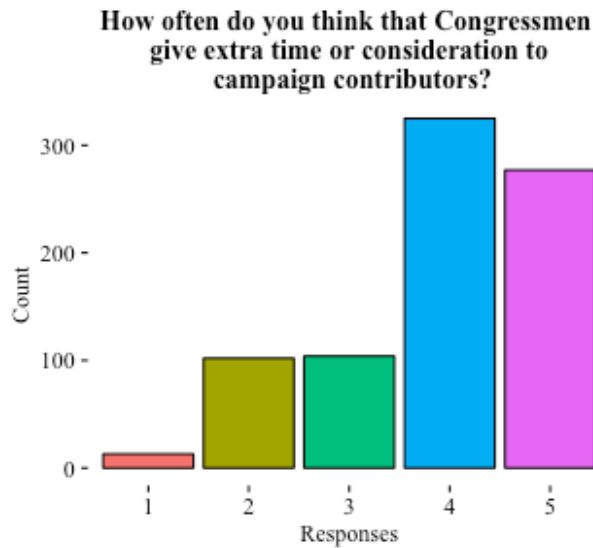
**What percentage of the average US Senate candidate's funds do you think come from individual campaign contributions?**



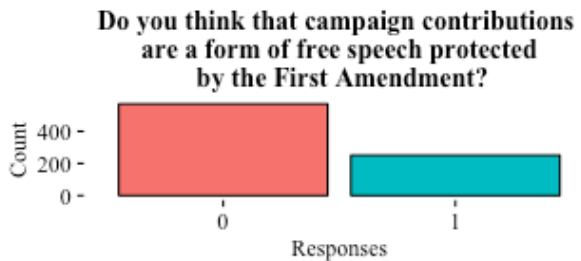
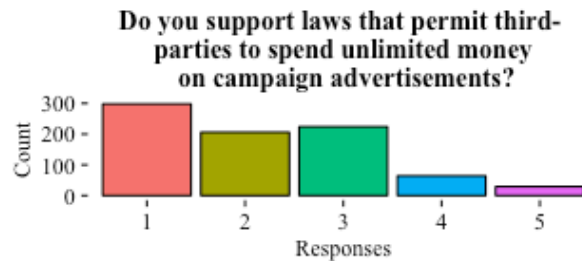
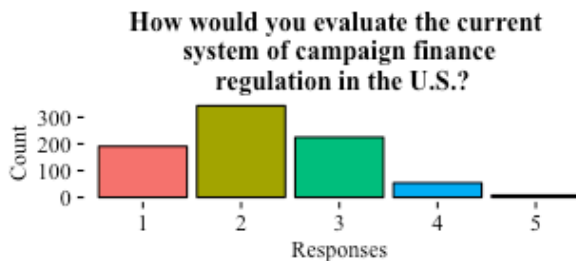
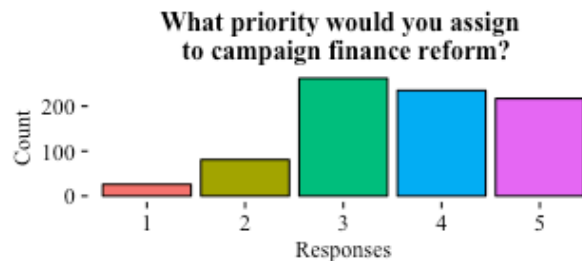
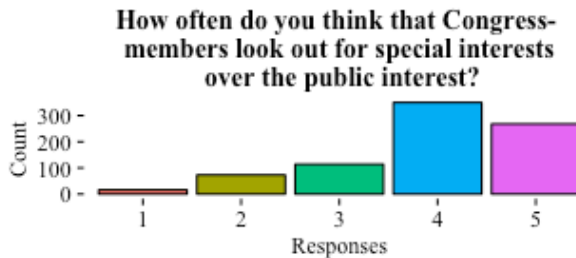
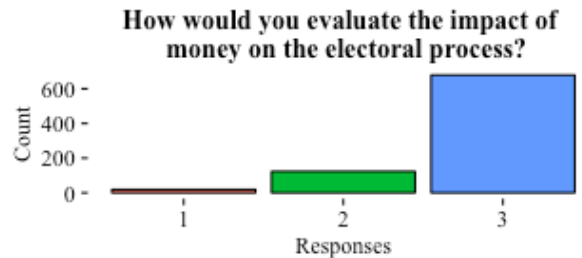
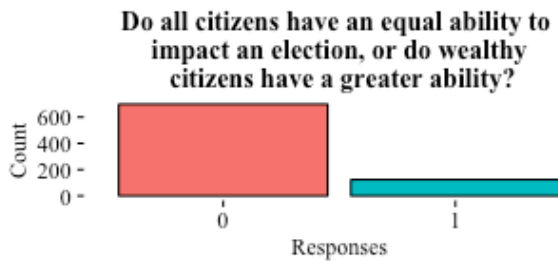
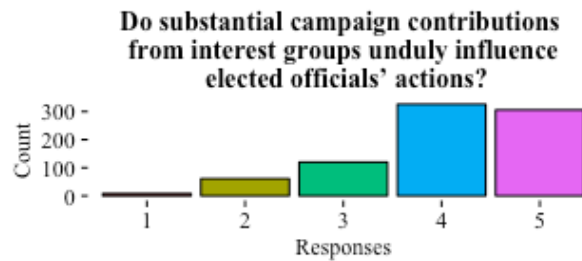
## Perceptions of Campaign Finance Reform



### Perceptions of the Frequency of Corruption



## Perceptions of Democratic Health





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